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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: CANTOR *et al.*

Serial No. 09/880,988

Filed: June 13, 2001

CONFIRMATION NO. 5954

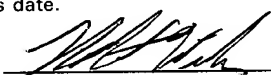
For: *USE OF NUCLEOTIDE ANALOGS IN  
THE ANALYSIS OF OLIGONUCLEOTIDE  
MIXTURES AND IN HIGHLY  
MULTIPLEXED NUCLEIC ACID  
SEQUENCING*



I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on this date.

10/10/01

Date

  
Robert Wickman

Art Unit: 1645

Examiner: Not Yet Assigned

**PRELIMINARY AMENDMENT AND RESPONSE TO NOTICE TO COMPLY WITH  
REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE  
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Commissioner for Patents  
ATTENTION: BOX MISSING PARTS  
Washington, D.C. 20231

Dear Sir:

Responsive to the Notice to File Missing Parts mailed August 22, 2001 which provides that the above referenced application fails to comply with 37 C.F.R. §§ 1.821-1.825 the Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, please amend the above-captioned application as follows:

**IN THE SEQUENCE LISTING:**

Please amend the specification in the above-captioned application to include the attached SEQUENCE LISTING into the above-captioned application. A disk copy of the SEQUENCE LISTING accompanies this response.

**REMARKS**

Any fees that may be due in connection with this paper or with this application during its entire pendency may be charged to Deposit Account No. 50-1213. If a Petition for extension of time is needed, this paper is to be considered such Petition.

**USSN 09/880,988**  
**CANTOR et. al.**  
**RESPONSE TO NOTICE TO COMPLY**

Attached herewith is the Sequence Listing, disk and paper copies, a Verified Statement that the content of the paper and computer readable copies are the same, and a copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures.

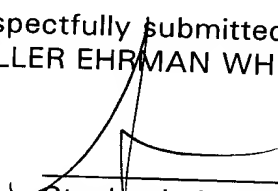
The Substitute Sequence Listing contains the 5' to 3' nucleotide sequence of the Target sequence shown in FIGURE 4 a) which is also shown in the partially Duplex Hairpin Primer of FIGS. 4 b), c) and d). The sequence listing contains a sequence which is depicted in the drawings as filed, therefor no new matter has been added. The nucleotide sequences depicted in FIGS. 1-3 and 5-8 each contain less than 10 nucleotides and are therefor not included in the Sequence Listing document. The paper copy and the computer readable copy of the Sequence Listing are submitted herewith in compliance with the requirements of 37 C.F.R §§1.821-1.825.

Accordingly, entry of the Sequence Listing into the file history of the above-captioned application is respectfully requested.

\* \* \*

In view of the above remarks and amendment, examination of the application is respectfully requested.

Respectfully submitted,  
HELLER EHRMAN WHITE & McAULIFFE LLP

By:   
Stephanie L. Seidman  
Registration No. 33,779

Attorney Docket No. 25491-2408  
**Address all correspondence to:**  
Heller Ehrman White & McAuliffe LLP  
4350 La Jolla Village Drive, 6th Floor  
San Diego, California 92122-1246  
Telephone: 858/450-8400  
Facsimile: 858/587-5360  
EMAIL sseidman@HEWM.com